

REDMOND PLANNING COMMISSION MINUTES

November 3, 2004

COMMISSIONERS PRESENT: Chairperson Snodgrass, Commissioners Allen, Dunn, McCarthy, Parnell, Petitpas, Querry

STAFF PRESENT: Rob Odle, Lori Peckol, Jeff Churchill, Terry Shirk, Cathy Beam, Judd Black, Redmond Planning Department

RECORDING SECRETARY: Gerry Lindsay

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Chair Snodgrass in the Public Safety Building Council Chambers. Commissioner Querry was excused.

APPROVAL OF THE AGENDA

The agenda was approved by acclamation.

ITEMS FROM THE AUDIENCE – None

STUDY SESSION

Initial Consultation on the Comprehensive Plan Implementation and Monitoring Program

Intern Jeff Churchill informed the Commissioners that the implementation and monitoring program is in the development phase. Absent such a program, it would not be possible to say with any degree of certainty how many of the City's goals and policies have been implemented. Most jurisdictions that have monitoring programs employ two specific aspects: actions the City should take to implement the goals and policies, and benchmarks against which to measure progress. A wide array of possible benchmarks was included in the packet materials, not all of which have been screened for feasibility.

Public input with regard to what the benchmarks should be has been generated. Once a proposed list is established, there will be additional opportunity for public comment prior to adoption. Consultation with most City departments will also be sought. The measures need to be valid, reliable, and well defined.

Mr. Churchill explained that the issue will not be on the Commission's agenda until after the first of the year. In the interim the Commission will be asked to review the draft materials distributed with their packet for this meeting and to provide initial feedback on the specific proposals. Input from the City departments will also be sought.

Principal Planner Lori Peckol said the implementation and benchmark program will ultimately be similar in some respects to the relationship of a functional plan to the Comprehensive Plan. A formal buy-off from the Planning Commission and the City Council will be sought for the document.

Commissioner McCarthy observed that a variety of kinds of measurements are outlined. Some are focused solely on the City, and some compare the City against the region. He suggested exploring the notion of partnering with other organizations, such as Puget Sound Energy, to generate non-proprietary information regarding trends for the City as a whole.

Commissioner Parnell commended staff for coming forward with such an ambitious program. He said he would like to see a number of self-sufficiency benchmarks included.

Chair Snodgrass noted that benchmarking is central to the transportation policies. He asked if the implementation and monitoring benchmarks are separate from those. Ms. Peckol said the benchmarks will be coordinated to the greatest extent possible to avoid duplication.

Commissioner McCarthy suggested that all of the benchmark data collected should be published both in hard copy and online. To that end, the City's information services people should be involved in the project from the start.

PUBLIC HEARING AND STUDY SESSION

Grass Lawn Neighborhood Plan Update

Chair Snodgrass opened the public hearing.

There were no members of the public present at the meeting.

Commissioner Parnell suggested considering the idea of setting up an email address that could be used by those viewing the Commission proceedings from home to send messages and comments directly to the Commission during the meeting.

Senior Planner Terry Shirk commented that in July the Commission reviewed the draft Grass Lawn Neighborhood Plan policies and completed their recommendation to the Council. A number of the policies require either enabling of existing legislation or new regulations for implementation. The proposal on the table is focused on enabling legislation to allow the existing cottage housing and affordable housing regulations to apply to Grass Lawn, and adoption of new design regulations relative to character and compatibility of new housing within the neighborhood. Such regulations are already in place in Willows/Rose Hill.

Planning Manager Rob Odle said Holly Plackett, who was not able to attend the public hearing, reviewed the materials and said she would like to see the proposal moved ahead as quickly as possible.

Chair Snodgrass closed the public hearing.

Commissioner Allen referred to the multiplex housing regulations and noted that on the fifth page there is a reference to Low/Moderate Density Residential zones, whereas the Grass Lawn policies indicate Single Family Urban instead. Ms. Shirk noted that the new Single Family Urban designation relates to R-4 to R-8, whereas the intent of the regulations for Grass Lawn was R-4, R-5 and R-6 only. Because multiplexes are already allowed under R-8, the reference to Single Family Urban can be retained in both the policy and the regulation.

Commissioner Allen called attention to Section 20C.70.50-050 and pointed out that the term “bulky and massive appearance” is not defined and should be if it is going to be used.

Commissioner Allen proposed that paragraph 2.b.i in the same section be written to read “Provide variety and visual interest by using various combinations of building elements, features and treatments, and variation in site design elements in new residential developments in a manner that reflects elements of surrounding development.”

Chair Snodgrass suggested that requiring a reflection of the neighboring development may not be appropriate in all cases. He allowed that it would be better to craft the paragraph to call for a reflection of the character of the overall neighborhood.

Chair Snodgrass suggested that paragraph 2.a.i reads awkwardly as written.

Commissioner Allen called attention to paragraph A.i on Page 4 and noted that there is no standard included to determine proportionality and massing. Ms. Shirk said the paragraph is intended to apply to mega homes, which are houses that are significantly larger than the neighboring homes.

Answering a question asked by Commissioner Allen, Ms. Shirk said the Technical Committee proposed having multiplex housing be a Type II permit, which would require neighborhood notification. Mr. Odle said the reasoning behind the suggestion was that the owners of single family homes in a neighborhood should be given notice that a two-plex or four-plex intends to locate next door. Type II permits include a 14-day written comment period, even though as proposed the net number of units will not be increased by allowing for attached units.

Chair Snodgrass observed that in the general provisions the word “encourage” is used in conjunction with cottages and multiplexes. He said the proposed policy does not actually encourage the development of such structures. He also noted that the design criteria

include expansions, but the policies do not talk about expansions at all. He proposed discussing those matters further.

Commissioner Petitpas recalled that residents of Grass Lawn brought up the issue of parking at Grass Lawn Park. Mr. Odle allowed that more parking will be added as part of Phase III of the Grass Lawn Park improvements, though there is no timeline for the project. For the most part, the issue is one of policing rather than land use.

Commissioner Dunn called attention to paragraph 1.a of Section 20C.70.25.-040 and noted that the verb “encourage” is used, whereas the policy language intends more of a mandate. She suggested using the word “provide” instead.

With regard to paragraph 1.b of the same section, she proposed replacing “engage” with the policy language which calls for encouraging visually appealing streetscapes. It was agreed to put the issue on the discussion list.

Commissioner Dunn proposed adding to paragraph 1 language requiring single family dwellings to have living space as the dominant feature. Ms. Shirk said the intent could be achieved by combining the notion with the idea of creating visually appealing streetscapes as outlined in paragraph 1.b. Commissioner Dunn said she would be comfortable with that.

Commissioner Petitpas suggested reversing the order of the sentence and leading with the action and follow with the reason for the action.

Staff was asked to redraft the section in light of the Commission’s discussion and using language consistent with the policies.

Commissioner Dunn called attention to Section 20C.70.25.-050.2.A.i and voiced concern about the last clause “...design new homes that blend with the existing neighborhood character...” She said she could accept the language if it is subordinate to the intent of creating variety and visual interest. She indicated a preference for “compatible” over “blend.”

Ms. Shirk said the Citizen Advisory Committee in discussing the issue concluded that a subdivision with ten units or more should not have all homes with the same design. They also felt infill development should be addressed to insure a blending of the old with the new. Chair Snodgrass suggested that the word blend could be interpreted to mean “homogenous.” Mr. Odle agreed but pointed out that it could also mean “harmonious.”

Commissioner Petitpas leaned toward use of the word “compatible,” and suggested that the second phrase of the section is redundant and could be eliminated.

Commissioner Parnell indicated a preference for the suggestion to incorporate the word “elements.” He argued that the word evokes images of the same general color or architectural features without being exactly the same.

Mr. Odle agreed to have staff work on finding the right word to replace “blend.”

Moving to Section 3, Building Orientation, Commissioner Dunn suggested that “...dwelling site and streetscape design should incorporate...” should read “...shall incorporate....”

With respect to the portion within Section 3 on garage door treatment, Commissioner Dunn proposed using “should” instead of “shall.” She proposed using the word “encourage” in the transition area language in this section. With regard to Section 4, she indicated a preference for “building compatibility” over “building character” both in the header and in paragraph ii.

Commissioner McCarthy called attention to the paragraph referencing open space in Section 4 addressing lot and structure proportionality and asked if the paragraph is aimed more at subdivisions than at single family homes. Ms. Shirk allowed that it is. Commissioner McCarthy suggested that the language as proposed could yield a walled fortress.

With regard to the transition area, Commissioner McCarthy suggested that by providing a minimum space the purpose of putting the living area as a feature connected to the streetscape is controverted. Ms. Shirk said the area is intended to be part of the connection. Patios, decks and gardens with entries can be considered outdoor living spaces and as such provide transitions between indoor and outdoor living spaces.

Chair Snodgrass said the design professionals explained that the isolation factor associated with urban areas is tied to a lack of connection between the public spaces and the private spaces. When such connections are evident, there is more incentive for neighbors to interact. Such streetscapes are more inviting and tend to reduce crime.

Commissioner McCarthy noted that the policies call for an annual meeting with the neighborhood to gauge the effectiveness of the plan. He asked if there are neighborhoods in the city that have had plans in place long enough to have had annual meetings. Ms. Shirk said the Grass Lawn neighborhood is the first neighborhood to suggest forming an association and holding an annual meeting to maintain an open forum with the city.

****Break****

STUDY SESSION

Update of the Critical Areas Ordinance and the Comprehensive Plan Natural Environment Element

Commissioner Parnell began the discussion with Issue 6 on the matrix which proposed adding a policy addressing the issue of protecting downstream or downhill users, particularly with regard to erosion and sedimentation resulting from development.

Principal Environmental Planner Cathy Beam said the issue is extensively addressed in the clearing and grading regulations and in the technical notebook. Clearing and grading and storm water management are inextricably tied together and covered by policies included in the Utilities Element.

Commissioner Parnell proposed revising Policy NE-28 to read “Establish buffers around the perimeter of site-specific landslide hazard areas to avoid the potential to undermine these areas, cause erosion and sedimentation problems for downstream or downhill land uses, and avoid the risk to human life and safety.”

Chair Snodgrass suggested that the definition of “buffer” should except out landslide hazards. Development Review Manager Judd Black said as used in the policy, the word “buffer” is really talking about a setback and changing “buffer” to “setback” would solve the problem and the suggestion was agreed to by the Commissioners. Ms. Beam allowed that there is a definition of “setback” in the Development Guide.

Commissioner Parnell asked if the City acting to inform property owners of a potential landslide based on subjective data and the underlying strata of a hill could create a legal basis compelling the property owners to act. Chair Snodgrass said the City has two types of duties: general public and specific. The City is under no obligation to conduct extensive surveys to identify potential landslide hazards. However, if the City were to undertake the conducting of a survey and potential hazards were uncovered, the City would have the specific duty to act to protect the public.

Turning to Policy NE-29 and the issue of who bears responsibility, Commissioner Allen said her concern is with the language “...construct, maintain and operate development...” given that the City does not typically do that.

Commissioner Parnell held that the policy should also be aimed at minimizing hazards to natural resources, particularly water.

It was agreed that the wording should be revised to read “Require that construction, maintenance and operation of developments in seismic hazard areas minimize hazards to persons, property and natural resources.”

Answering a question asked by Chair Snodgrass with regard to Policy NE-30, Ms. Beam explained that under the Growth Management Act essential facilities include facilities such as hospitals, both private and public, fire and police departments, and schools. It was agreed that the policy language should read “...essential public facilities....”

Commissioner McCarthy observed that it is the responsibility of the property owner to prepare site-specific seismic hazard preparedness studies and as such the policy should use the word “require.” His suggestion was accepted.

Answering a question asked by Commissioner McCarthy regarding Policy NE-32, Ms. Beam allowed that there are likely some older users in the City that could possibly be

contributing to degradation of groundwater quality. Mr. Black added that there are some historic spills remaining in the soils and are migrating; those spills get cleaned up as properties are developed or redeveloped.

With regard to Policy NE-33, Commissioner Parnell asked why the policy should apply to existing property owners but not new developments. Chair Snodgrass explained that waste discharges are prohibited for all new development. The policy goes specifically to properties with non-compliant septic systems or storm water connections. He allowed that the policy should be written as aggressively as possible, such as "...identify and eliminate...."

Commissioner McCarthy asked how the City can enforce the policy absent the cooperation of the property owner. Mr. Black said there are state laws that allow jurisdictions to act when illegal connections and discharges are identified.

It was agreed to eliminate the last sentence of the policy given that it is redundant.

Turning to Policy NE-34, Ms. Beam explained that under state law the purpose for protecting wellhead critical aquifer recharge areas clearly is to protect the public's drinking water. However, aquifer recharge areas also provide a valuable source of base flow for streams and rivers. She allowed that the policy is intended to apply to the entire City.

Commissioner Dunn argued that as broadly written, the policy could preclude the City from accommodating more growth. Chair Snodgrass proposed that the policy should be retained in its current form; if in the future the policy stands in the way of accommodating growth, the policy can be revisited. The only areas not committed to urban growth are the Bear Creek and Evans Creek valleys.

Commissioner Petitpas suggested that the language construction used in Policy NE-29 should be echoed in Policy NE-41 with regard to constructing, maintaining and operating.

Calling attention to policies NE-44 and NE-45, Ms. Beam pointed out that while the policies are new they talk about something the City has been doing for many years. By definition, the area within the 100-year floodplain has a one percent chance in any given year of experiencing flooding. Within the floodplain there is both a channel for the fast-moving water and the fringe areas where water backs up. Development is permitted within the fringe area. Because such developments remove some percentage of the ability of the floodplain to accommodate flood waters, some compensatory storage is required. The City currently requires compensatory storage in all areas but the urban area, which is essentially the downtown.

Chair Snodgrass suggested that the word "incorporate" as used in Policy NE-45 is somewhat confusing. He proposed substituting "consider," "identify" or "include." The consensus was in favor of "include."

Commissioner Dunn pointed out that the language of policies NE-44 and NE-45 make them appear to be regulation rather than policy. There is no overriding principle or philosophy such as those incorporated into other policies.

Answering a question asked by Commissioner Allen, Ms. Beam explained that Policy NE-48 is limited to the downtown because for that area there is no impervious surface limit.

Commissioner Dunn asked if there is any policy basis for the Wellhead Protection Ordinance. Ms. Peckol said the policy language is housed in the Utilities Element.

The Commission took a moment to identify the issues still open. Chair Snodgrass argued against adding “and natural resources” to Policy NE-29. The context of the policy is protecting people from themselves. Commissioner McCarthy concurred, adding that during a seismic event there is little the City can do to protect most natural resources. There was no agreement in favor of adding “and natural resources” to the policy.

There was consensus with regard to Policy NE-21. Commissioner Dunn indicated that she could not support it as written.

It was moved and seconded to extend the meeting to 10:10 p.m. The motion carried unanimously.

There was general consensus in favor of Policy NE-22. There was also consensus in favor of Policy NE-23, though Commissioner Dunn indicated that she could not support it as written. Policy NE-28 was closed. The language of Policy NE-29 was agreed to, including the reference to natural resources. The Commission closed discussion on policies NE-30 and NE-31, subject to a rewrite off-line for the latter. Policy NE-32 was kept open to find a better way to word it relative to the issue of non-degradation. Policy NE-33 as revised was closed. There was agreement with Policy NE-41 as revised. The discussion for policies NE-44, NE-45 and NE-46 was closed. It was agreed to revise Policy NE-48 as discussed and to close the issue.

REPORTS

SCHEDULING/TOPICS FOR NEXT MEETING(S)

ADJOURN

Chair Snodgrass adjourned the meeting at 10:10 p.m.

Minutes Approved On:

Recording Secretary